

Scrutiny Committee – 8th January 2008

10. Chairmanship of Scrutiny Committee

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Purpose of the Report

To discuss the future Chairmanship of the Scrutiny Committee following the decision of Councillor Rupert Cox to stand down.

Action Required

Members of the Scrutiny Committee are requested to note the content of the report and if appropriate, make a recommendation to Council regarding the future Chairmanship of the Scrutiny Committee.

Background

Members of the Scrutiny Committee will be aware that due to work pressures, the present Chairman of the Scrutiny Committee, Councillor Rupert Cox, has decided to stand down.

Under Councillor Cox's Chairmanship, the Scrutiny function has seen considerable change and our successes have been recognised in a number of ways including the award of the recent Beacon status for '*Neighbourhood and Community Champions: the role of elected members*'.

It is vital that we continue to develop Scrutiny and the role of the Scrutiny Chair is pivotal in this.

What is the role of the Chairman of Scrutiny Committee?

It is a significant commitment to undertake the role of Chairman of the Scrutiny Committee. Scrutiny is a key element of modern local government and the **Local Government and Public Involvement in Health Act 2007** seeks to further promote and develop the work of Scrutiny through the mechanisms such as the Councillor Call for Action and increased powers to hold external partners to account for the delivery of local services.

Based on national best practice and indeed the work of the current Chairman over the past 18 months, the duties and responsibilities of a Scrutiny Chairman are:

- **to maintain political objectivity and impartiality whilst fulfilling the role.** Scrutiny must operate in an a-political environment in which non-executive councillors can consider policy issues and hold Executive members to account for the delivery of services on behalf of local residents. The Chair of Scrutiny is crucial in ensuring that Scrutiny does not become an opposition tool but remains focused on playing the role of a 'critical friend'.
- **to champion Scrutiny both internally and externally.** Promoting the work of Scrutiny within the Council, regionally and nationally is a large part of this role. Over the past 12 months the current Chair has spoken at national events and has

attended several councils in the South West to discuss our Scrutiny work and achievements. This involves a significant amount of time both in terms of attending meetings and preparing in advance.

Internally, the Scrutiny Chairman attends District Executive meetings to represent the Scrutiny function as well as presenting the regular Scrutiny report to Full Council.

The Scrutiny Chairman is often the first port of call for non-executive members seeking to pursue an issue through Scrutiny. Therefore, the Scrutiny Chairman must be confident and effective in advising other members on the most appropriate course of action.

- **Informal working** – much of the work of the Scrutiny Chairman happens outside of the monthly Scrutiny Committee meeting. The Chairman is involved at all stages of agreeing the Scrutiny Committee agenda and is often involved in agreeing report content with officers and Executive members. Establishing an effective working relationship with the Leader is vital and relies upon a non-political approach.
- **Undertaking appropriate training and development.** The role of the Scrutiny Chairman is challenging and requires certain skills. A full programme of support will be made available but there must recognition of the need for training.

Of course there is the potential to develop the role further and build on these core functions and as much support as possible will be made available.

Allocation of Chairmanship according to political groups

As members will recall when the current Scrutiny arrangements were introduced over 18 months ago, numerous other authorities were consulted as well seeking out national best practice. It was evident that whilst there are some basic principles for effective Scrutiny, no two authorities have exactly the same Scrutiny models, demonstrating the fact that local arrangements have been developed to reflect local needs.

The same is true of chairing arrangements – it is very much a matter for local determination. In their 2006 annual survey of Scrutiny arrangements, the Centre for Public Scrutiny made the following comment;

“One of the main requirements for successful overview and scrutiny is a high quality of chairing. Chairs of scrutiny committees and panels, and short-life working groups, need to be competent and motivated by a belief that they can successfully influence policy and action on the ground. This will normally be facilitated if the chairing is shared across party divides, in a manner which gives the tasks to independent-minded individuals from any party with the relevant competence and experience. There is no consensus as to whether a requirement for chairs to reflect party proportionality rules would assist the process, or become a distraction, but at least some chairing by councillors from parties not supplying the Executive is extremely desirable.”

Our current arrangements allow for the Chairman and two Vice Chairmen positions to be held by a member from the majority group and each of the other groups.

Below is an extract from the report agreed by Council in May 2006:

Chairing arrangements

As with most elements of Overview and Scrutiny, there are few hard and fast rules relating to the Chairing of Overview and Scrutiny Committees. The Statutory Guidance, Local Government Act 2000 states as follows:

Where there is a majority group, local authorities might consider it appropriate to have all or some of the Scrutiny bodies chaired by members outside the majority group...Overview and Scrutiny should be constructive and not merely be there either to always oppose the Executive or rubber stamp executive decisions.

The Centre for Public Scrutiny analysed the allocation of Overview and Scrutiny Chairs as part of their 2005 Annual Survey. They found that Liberal Democrat controlled authorities are most likely to share chair and vice chair appointments with minority groups. The table below reflects their findings in 2005:

Majority party control	Average % of chairs kept	Average % of chairs shared
Conservative	69%	31%
Labour	86%	14%
Liberal Democrat	48%	52%

Whilst the issue of allocating Chairs according to political groupings is important, it is equally important to ensure that individuals who have the right skills and are committed to the role hold these positions.

What happens next?

The Chairman of the Scrutiny Committee must be appointed by Full Council. However, members of the Scrutiny Committee may wish to discuss the matter and make a recommendation to Council that reflects the views of the Committee. Any such recommendations will be considered by Council at its meeting in February.